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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/893,143	06/27/2001	Antti Kansakoski	871.0014.USU	4012
29683	7590	12/05/2005	EXAMINER	
HARRINGTON & SMITH, LLP			NGUYEN, DUNG X	
4 RESEARCH DRIVE			ART UNIT	PAPER NUMBER
SHELTON, CT 06484-6212			2638	

DATE MAILED: 12/05/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/893,143

Applicant(s)

KANSAKOSKI ET AL.

Examiner

Dung X. Nguyen

Art Unit

2638

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 August 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 - 33 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 15 - 25 is/are allowed.
- 6) ☒ Claim(s) 1 - 3, 9 - 11, 26, 27, 30 and 31 is/are rejected.
- 7) ☒ Claim(s) 4 - 8, 12 - 14, 28, 29, 32, and 33 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

Response to Arguments

1. Applicant's arguments filed on August 11, 2005 have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. **Claims 1 - 3, 9 - 11, 26, 27, 30, and 31 are rejected** under 35 U.S.C. 103(a) as being unpatentable over Peterzell (US patent application publication # 2002/0123319 A1), and further in view of Bejjani et al. (US patent # 6,510,143 B1).

Regarding claim 1, Peterzell discloses (figure 2) that a CDMA receiver, comprising:

- A RF section (stage 1) for receiving a CDMA signal (page 2, paragraphs # 0023, 0024);
- A circuit for determining an instantaneous total received power (I_o) of the received CDMA signal (page 8, paragraphs # 0091 – 0093).

Peterzell differs from the instant claimed invention that it does not show the step of a searcher that is one of enabled for operation or disabled from operation in accordance with the value of I_o .

Art Unit: 2638

However, Bejjani et al. discloses the step of a searcher that is one of enabled for operation or disabled from operation in accordance with the value of I_o (column 1, lines 36 – 57, this limitation is inherently taught because that enabling or disabling the path is a part of the selective operation).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to combine Peterzell and Bejjani et al. as providing the requirements of the instant claimed invention for power saving.

Regarding claims 2 and 3, respectively, as followed by the limitations analyzed in claim 1, Bejjani et al. further inherently discloses wherein the circuit comprises a comparator for comparing I_o against a threshold, and for generating a searcher trigger signal only when I_o exceeds the threshold (column 1, line 61 to column 2, line 37) for processing the value of I_o and the threshold.

Regarding claim 9, the limitations are analyzed in the same manner set forth as claim 1.

Regarding claim 10, as followed by the limitations analyzed in claim 9, the limitations are analyzed in the same manner set forth as claim 2.

Regarding claim 11, as followed by the limitations analyzed in claim 9, the limitations are analyzed in the same manner set forth as claim 3.

Regarding claim 26, the limitations are analyzed in the same manner set forth as claim 1.

Regarding claim 27, as followed by the limitations analyzed in claim 26, the limitations are analyzed in the same manner set forth as claim 2.

Regarding claim 30, the limitations are analyzed in the same manner set forth as claim 1.

Regarding claim 31, as followed by the limitations analyzed in claim 30, the limitations are analyzed in the same manner set forth as claim 2.

Allowable Subject Matter

4. **Claims 4 – 8, 12 - 14, 28, 29, 32, and 33 are objected to** as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

5. **Claims 15 - 25 are allowed.** The following is a statement of reasons for the indication of allowable subject matter:

Regarding to claim 15, the prior art of record fails to show or render obvious of a method for operating a CDMA receiver, comprising:

- Receiving a CDMA signal;
- Storing samples of the received CDMA signal into buffer;
- Determining an instantaneous total receiver power (I_o) of the received CDMA signal over m consecutive segments of the received CDMA signal; and
- Using a maximum value of I_o to identify one of m segments of the searcher buffer on which a searcher is to be enabled for operation.

Regarding to claim 16, the prior art of record fails to show or render obvious of a method for operating a CDMA receiver, comprising:

- Receiving a CDMA signal and storing samples of the received CDMA signal into buffer of a searcher while determining an instantaneous total receiver power (I_o) of the received CDMA signal; and
- Selectively one of generating or not generating a trigger signal to the searcher in accordance with the value of I_o , wherein when generated the searcher trigger signal causes the searcher to process the stored samples.

Regarding to claim 21, the prior art of record fails to show or render obvious of a CDMA receiver, comprising:

- Receiver circuit for receiving a CDMA signal;

Art Unit: 2638

- A memory for storing samples of the received CDMAS signal; and
- A signal processor circuit for determining, during a time that the samples are being stored in the memory, an instantaneous total receiver power (I_o) of the received CDMA signal for selectively one of generating or not generating a searcher trigger signal in accordance with the value of I_o , wherein when generated the searcher trigger signal causes the searcher to process the stored samples.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Orr et al. (US patent application publication # 2002/0150068 A1) discloses a method and its corresponding apparatus for multiplexing signal codes via weighted majority logic.

Contact Information

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dung X. Nguyen whose telephone number is (571) 272-3010. The examiner can normally be reached on Monday through Friday from 8:00 AM to 17:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Vanderpuye, Kenneth N. can be reached on (571) 272-3078. The fax phone numbers for this group is (571) 273-3021.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (571) 272-2600.

DXN

October 04/ 2005


KENNETH VANDERPUYE
SUPERVISORY PATENT EXAMINER